





City of Loma Linda Official Report

Karen Gaio Hansberger, Mayor
Floyd Petersen, Mayor pro tempore
Robert Christman, Councilmember
Stan Brauer, Councilmember
Robert Ziprick, Councilmember

COUNCIL AGENDA: January 11, 2005

TO: City Council

VIA: Dennis R. Hallaway, City Manager 

FROM: T. Jarb Thaipejr, Public Works Director/City Engineer 

SUBJECT: Initiate Proceedings, Declare the City's Intention and Set a Public Hearing for the Formation of Underground Utility District No. 1 on Redlands Boulevard

RECOMMENDATION

It is recommended that the City Council adopt the resolutions to initiate proceedings, to declare the City's intention and to set a public hearing for March 8, 2005, on the formation of Underground Utility District No. 01, Redlands Boulevard.

BACKGROUND

Currently, the City desires to underground all existing overhead utilities along Redlands Boulevard from the westerly City easterly to the City's easterly boundary. At the present time the majority of commercial and residential services are already provided underground. What remains are the main transmission lines along either side of Redlands Boulevard that are within City rights-of-way as well as a few existing commercial services.

In discussions with Southern California Edison (Edison), the City must initiate and establish an underground utility district covering the area before Edison will begin the engineering design. This district will help to prevent other utilities from constructing overhead lines in the future.

On August 24, 2004, the City established procedures for the creation of an underground utility district in Chapter 12.16 of the City's Municipal Code. The Code provides that after a public hearing the City Council may determine that the project meets the established criteria for an underground utility district, and adopt a resolution establishing the district.

Establishment of this district will encumber the City's current balance of Rule 20A funds as well as its entitlement through the year 2010.

ANALYSIS

None.

ENVIRONMENTAL

None.

FINANCIAL IMPACT

The formation of the district will encumber the City's Rule 20A funds through fiscal year 2010/2011 funds.

Attachments: 1) Project Timeline
2) Resolution

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City of Loma Linda
Underground Utility District 2004-01, Redlands Boulevard
Project Timeline

Day of the Week	Target Date	(Property Owner Balloting Not Required) Project Tasks
Monday	01/03/05	Muni delivers: 1.) All Resolutions and documents necessary for the Intent Meeting
Tuesday	01/11/05	Intent Meeting (Consent): Council adopts the Resolution Initiating the Formation of the Underground District, declares their intention to form the District and sets the date for the public hearing.
Friday	01/14/05	Muni completes the levy database for the formation project and identifies possible issues that need to be addressed for preparation of the Engineer's Report.
Friday	01/14/05	City provides Muni with preliminary cost estimates (budget information) for the undergrounding project as provided by SCE.
Friday	01/21/05	Property Owner Contractual Agreements Mailed: Muni mails contractual agreements to all property owners subject to the utility conversion on their property at least 45 days prior to Public Hearing. Property not affected by the undergrounding will not need to be noticed.
Friday	02/25/05	Pursuant to sections 22626, 22552 and 22553 of the 1972 Act and 6061 of the Government Code, the City Clerk shall publish the Resolution of Intention one time at least 10 days prior to the Public Hearing.
Monday	02/28/05	Muni delivers: 1.) Resolutions to be adopted at the Public Hearing; 2.) Final Engineer's Report; and 3) Ordinance amending the City's Municipal Code adding a new section for the established Underground Utility District.
Tuesday	03/08/05	Public Hearing: City Council holds public hearing regarding the District and assessments. After the public hearing has been closed, the City Council may adopt the resolution for the District: 1.) Resolution Approving the Engineer's Report and confirming the contractual agreements for the formation of the District.
Tuesday	03/08/05	Ordinance (Consent): Council introduces and passes to the second reading an ordinance amending the City's Muunicipal Code to include the new District.

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA INITIATING PROCEEDINGS UNDER DIVISION 7 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE FOR THE FORMATION OF AN UNDERGROUND UTILITY DISTRICT FOR THE CONVERSION OF EXISTING ELECTRIC AND COMMUNICATIONS FACILITIES TO UNDERGROUND LOCATIONS AND DIRECTING THAT CERTAIN ACTS BE TAKEN IN FURTHERANCE OF THE DISTRICT'S FORMATION DECLARING ITS INTENTION TO CREATE UNDERGROUND UTILITY DISTRICT NO. 2004-01, REDLANDS BOULEVARD, ORDERING PREPARATION OF A REPORT AND CALLING FOR A PUBLIC HEARING

WHEREAS, the City, whereas in previous Resolution No. 2350 adopted August 24, 2004, and in accordance with the City of Loma Linda Municipal Code Chapter 12.16 desires to remove all overhead utilities within the road rights-of-ways and within 100 feet to either side of the road center line along Redlands Boulevard between the City's western City limit easterly to California Street as well as certain parcels adjacent to or along the approaches to Redlands Boulevard; and

WHEREAS, the City has adopted Chapter 12.16 of the Loma Linda Municipal Code, setting forth proceedings for the establishment of underground utility districts; and

WHEREAS, the Improvement Act of 1911, (commencing with Section 5000, Division 7, Chapter 1, of the California Streets and Highways Code) (the "Act") provides the procedures for the creation of underground utility districts for the conversion of existing overhead electric and communications facilities to underground locations; and

WHEREAS, the legislative body may establish an area of benefit within the local agency and restrict the imposition of the assessment to areas lying within the area of benefit established; and

WHEREAS, the City Council finds that Southern California Edison has voluntarily agreed to pay, pursuant to its Rule 20(A), over 50 percent (50%) of all costs of conversion (excluding the costs of users connections); and

WHEREAS, the City Council of the City of Loma Linda has determined that the public necessity, health, safety, or welfare requires the removal of poles, overhead wires, and associated overhead structures and the undergrounding of wires and facilities for the distribution and transmission of electrical service, communication or similar associated service on those streets, and easements within that territory included generally within the boundaries, as shown on Exhibit "A" attached hereto and incorporated herein by reference.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMA LINDA, STATE OF CALIFORNIA, DOES HEREBY RESOLVE, DETERMINE, AND FIND AS FOLLOWS:

Section 1. That the public necessity, health, safety, and welfare require the removal of poles, overhead wires and associated structures and the undergrounding of wires and facilities for the distribution and transmission of electrical service, communication or similar associated service so as to eliminate on streets and other rights of way an unusually heavy concentration of overhead facilities and

the streets and other rights of way pass through a civic area of interest to the general public in that territory included generally within the boundaries, as shown on Exhibit "A" attached hereto and incorporated herein by reference and such described area is hereby established as Underground Utility District No. 2004-01, Redlands Boulevard (Hereinafter referred to as the "District").

Section 2. The City Council finds that:

- a. The removal and underground installation ordered pursuant to Section 1 of this Resolution will avoid or eliminate an unusually heavy concentration of overhead electric facilities;
- b. The Street located within the District, is extensively used by the general public and carries a heavy volume of vehicular traffic;

Section 3. That the proceedings for the establishment of an Underground Utility District be conducted under and in accordance with provisions of the Improvement Act of 1911, Division 7, Chapter 28 of the Streets and Highways Code, and the City's Municipal Code, Chapter 12.16.

Section 4. That the firm of MuniFinancial, a member of the Willdan Group of Companies is hereby designated and appointed Engineer of Work and employed to do and perform all special district formation work necessary and in for the proceedings, including, but not limited to, preparation of the description of improvements, the boundary map, and the estimate of costs and the Assessment Diagram, pursuant to its existing contract for said services with the City.

Section 5. The Engineer of Work shall furnish to the City Council a report in writing pursuant to Section 5898.22 of the Act, presenting the following:

- (a) A map showing the boundaries of the territory within which the utilities are to be undergrounded.
- (b) A draft contract specifying the terms and conditions that would be agreed to by a property owner, if necessary, within the contractual assessment area and the City.
- (c) A statement of City policies concerning contractual assessments, if necessary, including all of the following.
 - (i) Identification of the utility undergrounding to be financed through the use of contractual assessments;
 - (ii) Identification of a City official authorized to enter into contractual assessments on behalf of the City;
 - (iii) A maximum aggregate dollar amount of contractual assessments; and
 - (iv) A method for setting requests from property owners for financing through contractual assessments in priority order in the event that requests appear likely to exceed the authorization amount: and.

Resolution No.

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Section 6. Pursuant to Chapter 3, Section 5132 of the Streets and Highways Code, notice is hereby given that on March 8, 2005 at 7:00 p.m., in the City Council Chambers of the City at 25541 Barton Road, Loma Linda, California 92354, any and all persons having any objection to the Utility Undergrounding, to the extent of the District, or both, may appear before the City Council and show cause why the Utility Undergrounding should not be carried out in accordance with this Resolution of Intention.

Section 7. The City Clerk is hereby directed to publish notice of the public hearing once a week for two (2) successive weeks in a newspaper published at least once a week at least five (5) days intervening between the respective publication dates. The first publication shall occur at least twenty (20) days before the date of the hearing.

Section 8. At least forty-five (45) days prior to March 8, 2005, the City Clerk shall mail notice of the public hearing to each property owner within the District, as such are shown on the last equalized assessment roll, and to the affected utilities. The notice, in the form required by Government Code Section 54954.6(c)(2), shall be mailed, postage prepaid, in the United States mail and shall be deemed given when deposited. The envelope or cover of the mailing shall include the name and return address of the City.

Section 9. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 11th day of January 2005 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Karen Gaio Hansberger, Mayor

ATTEST:

Pamela Byrnes-O'Camb, City Clerk

PROPOSED BOUNDARY OF LOMA LINDA, UNDERGROUND UTILITY DISTRICT NO. 2004-1, REDLANDS BOULEVARD

FILED IN THE OFFICE OF THE CITY CLERK
OF THE CITY OF LOMA LINDA THIS _____ DAY OF _____ 20____

CITY CLERK
CITY OF LOMA LINDA

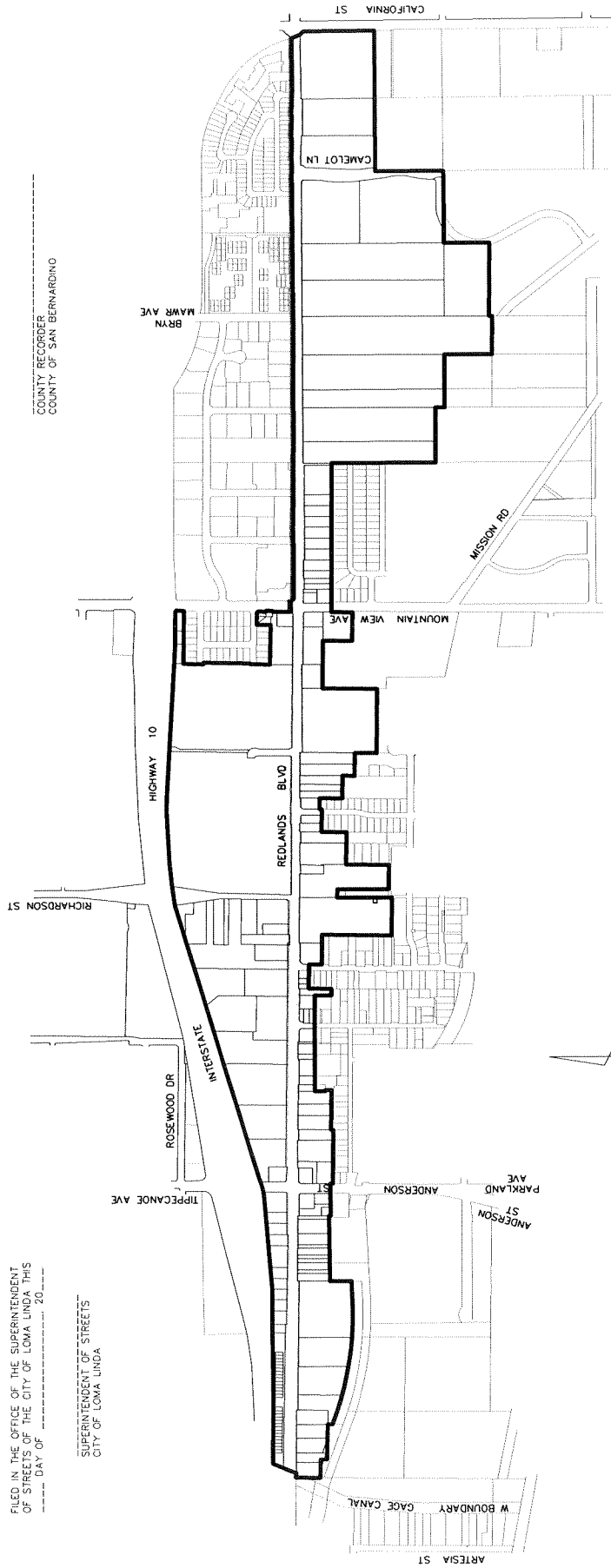
FILED IN THE OFFICE OF THE SUPERINTENDENT
OF STREETS OF THE CITY OF LOMA LINDA THIS _____ DAY OF _____ 20____

SUPERINTENDENT OF STREETS
CITY OF LOMA LINDA

CITY OF LOMA LINDA
COUNTY OF SAN BERNARDINO
STATE OF CALIFORNIA

FILED THIS _____ DAY OF _____ 20____
AT THE HOUR OF _____ O'CLOCK _____ M. BOOK _____
OF MAPS OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS
AT PAGE(S) _____ IN THE OFFICE OF THE COUNTY RECORDER
OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

COUNTY RECORDER
COUNTY OF SAN BERNARDINO



MuniFinancial
27388 Via Industria
Suite 110
Irvine, California 92618-2861
Phone (951) 587-3500 Fax (951) 587-3510

600' 300' 0' 500'
SCALE : 1" = 600'

LEGEND
PROPOSED BOUNDARY

I HEREBY CERTIFY THAT THE WITHIN MAPS SHOWING PROPOSED
BOUNDARIES OF ASSESSMENT DISTRICT NO. 2004-1, REDLANDS
BOULEVARD, CITY OF LOMA LINDA, COUNTY OF SAN BERNARDINO,
STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL
OF LOMA LINDA AT A REGULAR MEETING THEREOF, HELD ON THE
_____ DAY OF _____ 20____ BY ITS
RESOLUTION NO. _____

CITY CLERK
CITY OF LOMA LINDA